

1 19A NCAC 02E .0703 is adopted as published in 28:21 NCR 2584 as follows:

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3 **19A NCAC 02E .0703 PREQUALIFYING TO AWARD – PROFESSIONAL SERVICES FIRMS**

4 (a) In order to ensure that contracts awarded pursuant to G.S. 136-28.1(f) and G.S. 143-64.31 are awarded
5 to responsible firms, prospective professional services firms shall comply with the rules set forth in this
6 Section except as otherwise provided by law. For professional services contracts other than those specified
7 in G.S. 136-28.1(f) and G.S. 143-64.31, specific project prequalification requirements to satisfy Paragraph
8 (c) of this Rule shall be specified in the documents for specific project contracts.

9 (b) In order to be eligible to contract with the Department pursuant to G.S. 136-28.1(f) and G.S. 143-64.31,
10 all prospective professional services firms shall be prequalified with the Department to ensure that they are
11 responsible and reputable firms capable of effectively and efficiently performing the work awarded to
12 them.

13 (c) The requirements of prequalification are as follows:

14 (1) Applicants shall demonstrate the necessary experience, knowledge, and expertise to
15 perform and timely complete professional services contracts in which they submit or
16 subcontract;

17 (2) Applicants shall demonstrate that they have sufficient financial resources, including
18 available equipment and qualified personnel, to adequately perform and timely complete
19 professional services contracts in which they submit or subcontract;

20 (3) Applicants shall demonstrate that they have the necessary knowledge and expertise to
21 comply with all state and federal laws relating to professional services contracts.

22 (d) Prospective professional services firms shall update their prequalification status annually and shall
23 re-qualify every three years.

24 (e) A prequalified professional services firm must maintain compliance with the rules in this section at all
25 times in order to be eligible to contract with the Department pursuant to G.S. 136-28.1(f) and G.S. 143-
26 64.31. If at any time a professional services firm fails to comply with these rules, the Department shall
27 disqualify the professional services firm from any further contracts until he is able to demonstrate
28 compliance with these requirements by re-qualifying.

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30 *History Note:* Authority G.S. 136-28.1(e) and (f); 143-64.31; 143-B-350(f) and (g);

31 Eff. October 1, 2014